

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings includes changes to Figures 2 and 4. These sheets, which include Figures 2 and 4, replaces the original sheets including Figures 2 and 4. In Figures 2 and 4, Applicant submits herewith new figures with legends.

Attachment: Replacement Sheets

REMARKS

In the Office Action mailed July 22, 2008 the Examiner noted that claims 1-20 were pending and rejected claims 1-20. Claims 1, 2, 6, 9, 10, 13, 16 and 20 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 1-20 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

FORMALITIES

The Applicant respectfully requests that the Attorney Docket No. in this Application be amended to **0600-1183**. The Applicant thanks the Office for their attention to this matter.

OBJECTION TO THE DRAWINGS

The drawings stand objected to. In particular, the Office asserts that figures 2 and 4 lack legends or object labels. The Applicant submits herewith new figures with legends.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 1-10, 13-16 and 19-20 stand rejected under 35

U.S.C. § 103(a) as being obvious over Levergood, U.S. Patent No. 5,708,780 in view of Hopkins, U.S. Patent No. 5,999,624. The Applicant respectfully disagrees and traverses the rejection with an amendment and argument.

On page 5 of the Office Action, it is asserted that Levergood, col. 6, lines 58-65 discloses "automatic means (7, 22, 24) forming a catalog of usable access instruments accessible by a user of said receiver station (6) for the selection, by this user, of one of these access instruments, each of said access instruments being associated with a respective user management server (14)," as in claim 1.

However, in Levergood there is no discussion that the account database is accessible by the user, instead it is explicitly stated that the authentication server, not the client, queries an account base containing the user profile. See Levergood col. 6, lines 58-60.

Further, in Levergood the list of user profiles does not constitute a catalog of payment instruments in the context of the present application; and a user is only associated with a user profile stored in the database so even if the user could access the database he would not be able to access a plurality of payment instruments each of which were both accessible and usable by that user.

To emphasize this feature, the Applicant has amended

the claims to recite "automatic means (7, 22, 24) forming a catalog of *payment instruments, the payment instruments being usable and accessible* by a user of said receiver station (6) for the selection, by this user, of one of these payment instruments, each of said payment instruments being associated with a respective user management server (14) *each respective user management server providing credit or billing data associated with the respective payment instrument.*"

Support for the amendment may be found, for example, on page 12, lines 1-18 and page 8, lines 33-28 and page 3, lines 35 to page 4, line 4. The Applicant submits that no new matter has been added by the amendment of the claim.

Further, in Levergood there are no payment instruments. Moreover, each of the user profiles is associated with a different user and not a different management server.

The Applicant has not found that Hopkins discloses such a feature.

On page 6 of the Office Action, the Office acknowledges that Levergood does not disclose "means for exchanging information with the user management server (14) associated with the selected access instrument," as in claim 1, but asserts that Hopkins, col. 9, lines 5-46 do disclose such a feature.

The Applicant has amended claim 1 to recite "means for exchanging information with the user management server (14)

associated with the selected payment instrument to receive the credit or billing data associated with the selected payment instrument." Support may be found, for example, on page 12, lines 1-18 and page 8, lines 33-28 and page 3, lines 35 to page 4, line 4. The Applicant submits that no new matter has been added by the amendment of the claim.

Hopkins fails to disclose the user management server (14) associated with the selected payment instrument.

In contrast, in Hopkins the payment instrument (a payment account password or PIN, or other information related to the desired payment account - Hopkins col.6, line 59) is transmitted by the user to the processing institution (Hopkins col. 9, lines 21-23) and then verified by the processing institution (Hopkins col. 9, lines 31-46). No selection by the user at the processing institution of a payment instrument from a selection of plurality instruments usable and accessible by the user takes place.

Further, if the user wishes to access another payment account institution he will use another card on his remote payment module and send another password and account details to the processing institution (Hopkins col. 9, lines 38-50), rather than by simply selecting another payment instrument at the processing institution.

Hopkins does not disclose a control server having

access to user management servers providing authorization data associated with the corresponding payment instrument, this authorization data then being used to determine data exchange control parameters for data exchange between a receiver station and a data server

Additionally, Hopkins teaches away from the present invention as defined in claim 1. The present invention as set out on page 1, lines 17-23 is to eliminate the need of specific software on the receiver station. In Hopkins, the payment module is controlled by the user and not a central data control server. In the present invention there is no need as there is in Hopkins for the user himself to send the payment instrument from the receiver station to control access.

Claim 20 has been likewise amended and the arguments apply likewise to it. For at least the reasons discussed above, Levergood and Hopkins, taken separately or in combination, fail to render obvious the features of claims 1 and 20 and the claims dependent therefrom.

Claims 11-12 and 18 stand rejected under 35 U.S.C. § 103(a) as being obvious over Levergood in view of Hopkins in view of Riley, U.S. Patent Publication No. 2002/0010800.

Riley adds nothing to the combination of Levergood and Hopkins as applied against the independent claims. Therefore, for at least the reasons discussed above, Levergood, Hopkins and

Riley, taken separately or in combination, fail to render obvious the features of claims 11-12 and 18.

Claims 17 stands rejected under 35 U.S.C. § 103(a) as being obvious over Levergood in view of Hopkins in view of Adam, U.S. Patent Publication No. 2002/0181710.

Adam adds nothing to the deficiencies of Levergood and Hopkins as applied against the independent claims, and therefore, the combination of Levergood and Adam, taken separately or in combination fail to render obvious the elements of claims 17.

Withdrawal of the rejections is respectfully requested.

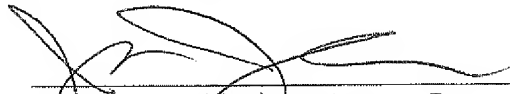
SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 1-20 continue to be allowable. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☐ - a new or amended Abstract of the Disclosure
- ☒ - a Replacement Sheet for Figures 2 and 4 of the drawings
- ☐ - a Substitute Specification and a marked-up copy of the originally-filed specification
- ☐ - a verified English translation of foreign priority document